

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-30046-MAP
)	
THEODORE JARRETT, et al.)	
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**DEFENDANT JARRETT’S MOTION FOR FURTHER DISCOVERY
OF DISCLOSURES REQUIRED UNDER RULE 16**

Defendant Theodore Jarrett (“Defendant” or “Mr. Jarrett”) moves, pursuant to Federal Rule of Criminal Procedure 16 (“Rule 16”), for further discovery of certain evidence that was either not provided or provided without sufficient specificity to allow Mr. Jarrett adequately to prepare for trial. Defendant has previously complied with Local Rule 116.3(A), and now requests the following information:

1. Statements of the Defendant. To the extent the government is in possession of any statements of Mr. Jarrett within the meaning of Rule 16(a)(1)(A) other than those described in its October 14, 2004 automatic discovery letter, we request them. In addition, Defendant requests production of any statements of the identified co-conspirators, including but not limited to, Elliott Beals (“Beals”) and George Petropolous (“Petropolous”), made during the course of and in furtherance of the alleged conspiracy, whether or not the government presently intends to call the co-conspirators as witnesses at trial.

2. Reports of Examinations and Tests. To the extent any reports of any such examinations, tests or experiments were made or became available subsequent to your discovery letters, pursuant to Rule 16(a)(1)(D), Defendant requests the results thereof.

3. Search Materials under Local Rule 116.1(c)(1)(b). The government has identified several searches conducted pursuant to search warrants and has provided affidavits relating to the application for such search warrants. Pursuant to Rule 12(d), Defendant requests a statement from the government regarding its intentions with respect to use of any of the seized materials as evidence against Mr. Jarrett at the trial of his case.

4. Consensual Interceptions Under Local Rule 116.1(c)(1)(d). In connection with the government's production on March 10, 2005 of audio recordings, Defendant requests:

a. Any and all documents relating to any requests for authorization of consensual monitoring of conversations in the course of the investigation resulting in the above-referenced indictment (hereinafter "the Investigation").

b. Any reports reflecting statements by all informants used in this Investigation, including but not limited to Beals or Petropolous, or by any undercover agent in connection with or in preparation for the produced recordings.

c. Any surveillance logs documenting surveillance of Mr. Jarrett and/or other members of the alleged conspiracy.

d. Any pen register results from any pen register conducted during this Investigation.

Respectfully Submitted,

THEODORE JARRETT
By his Attorneys,

/s/ William H. Kettlewell

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Dated: June 10, 2005

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 116.3(F)

The undersigned counsel hereby certifies that a good faith attempt was made to eliminate and narrow the issues raised in this motion through calls with the Assistant U.S. Attorney assigned to this case prior to filing this motion.

/s/ William H. Kettlewell

William H. Kettlewell

Dated: June 10, 2005